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REMARKS

Entry of this amendment and reconsideration of this application as so amended is requested. By this proposed amendment Applicant has amended claims 1, 3 and 5 for further clarity and has amended claim 4 to correct an obvious grammatical error. Claims 1-6 remain in the case.

The Examiner maintains the rejection of claims 1, 3 and 5 under 35 U.S.C. 102(b) as being anticipated by Sid-Ahmed; and the rejection of claims 2, 4 and 6 under 35 U.S.C. 103(a) as being unpatentable further in view of Zhu.

In response to Applicant's previous arguments the Examiner states that the claimed "up-sampling" does not exclude the frame rate doubling of Sid-Ahmed, thus the claimed "up-sampling" of claims 1, 3 and 5 is anticipated by the frame rate doubling of Sid-Ahmed. Applicant indicated previously that Sid-Ahmed is limited to "up-sampling" only by factors of two since Sid-Ahmed is only concerned with conversion from standard definition television (interlaced scan) to improved definition television (progressive scan), and therefore does not have general application for converting from any slow-rate video rate to any higher rate video rate, such as from slow motion video to any standard rate video without changing the frame size. Applicant has amended claims 1, 3 and 5 to indicate that the up-sampling is to "any" desired rate, where "any" indicates without limitation. This is in contradistinction to Sid-Ahem which is limited only to factors of two.

The Examiner then states that the specification and the cited patent are not the measure of invention, therefore limitations contained therein cannot be read into the claims

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for the purpose of avoiding the prior art; and that the claimed "adaptively filtering" is anticipated by the adaptive 3-D lowpass digital filter of Sid-Ahmed. There is nothing in Sid-Ahmed that indicates the lowpass digital filter of Sid-Ahmed is adaptive, i.e., performs "a modification according to changing circumstances" (Webster's *Ninth New Collegiate Dictionary*, 1986), as the filter characteristics of the 3-D filter are fixed. Sid-Ahmed does not claim that the 3-D filter is adaptive, i.e., the Examiner does not point specifically to any such wording because such wording is not found anywhere in Sid-Ahmed. Therefore the Examiner is assuming a fact that is not supported by the reference. Further the specification and cited patent may be used to provide a definition to a term that is used in the claim without adding any limitations to the claim. The specification and cited patent define the term "human vision model" as applied to "adaptively filtering." Sid-Ahmed does not describe or infer use of a human vision model in an adaptive filter. Therefore, contrary to the Examiner's assumption, Sid-Ahmed neither teaches nor suggests the claimed "adaptively filtering" using "a human vision model." Thus claims 1, 3 and 5 are deemed to be allowable as being neither anticipated nor rendered obvious to one of ordinary skill in the art by Sid-Ahmed.

With regards to claims 2, 4 and 6 the Examiner states that the replacing of horizontal scan lines with a constant value of Zhu anticipates the claimed d.c. restoration because the constant value of Zhu is d.c. and replacing horizontal scan lines with a constant value anticipates the d.c. restoration claimed. This sounds to Applicant to be circular reasoning. Zhu indicates that two or more consecutive scan lines may be made identical or one or several scan lines may be made constant in converting from

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progressive to interlaced video and *vice versa*. However d.c. restoration, as is well known to one of ordinary skill in the television arts, clamps the video signal to a fixed d.c. level which is completely different from making one or more horizontal lines of the video signal a constant value. The purpose of d.c. restoration is to restore the d.c. component of the video signal that was removed during signal processing so that the processed video signal maintains the same d.c. component. Making a horizontal line a constant value is not in any way, shape or form comparable to d.c. restoration. Thus claims 2, 4 and 6 also are deemed to be allowable as being nonobvious to one of ordinary skill in the art over Sid-Ahmed in view of Zhu.

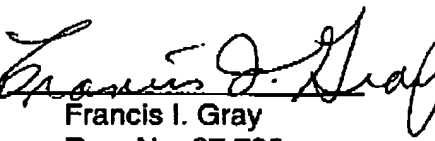
In view of the foregoing remarks entry of this amendment and allowance of claims 1-6 as so amended are urged, and such action and the issuance of this case are requested. Should the Examiner maintain the rejection of these claims, entry of this amendment is requested as clarifying the issues for appeal.

Respectfully submitted,

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